



To enrich lives through effective and caring service



Stan Wisniewski
Director

Kerry Gottlieb
Chief Deputy

June 15, 2004

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**APPROVE THE RELEASE OF REQUEST FOR PROPOSALS
FOR IMPROVEMENTS TO PARCEL 83S IN MARINA DEL REY
(4th DISTRICT)
(3 VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

Approve and authorize the release of the attached Request for Proposals for Improvements to Parcel 83S.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The proposed Request for Proposals (RFP) is intended to seek competitive proposals for development of Parcel 83S in Marina del Rey in connection with efforts to facilitate a development that promotes visitor-serving uses.

In furtherance of the goals of the second-generation development contemplated in the Marina del Rey Asset Management Strategy (AMS) adopted by your Board on April 15, 1997, the Department has issued six previous development solicitations for the second generation of development in Marina del Rey. The proposed development of improvements on this parcel will continue to further the goal of creating more visitor-serving uses, a focus of both the AMS and the Marina del Rey Local Coastal Program (LCP).

The development opportunity for this County-owned parcel is the construction and operation of visitor-serving improvements, on a stand-alone basis or in conjunction with the

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adjacent parcel's uses, consistent with the subject parcel's specific designation for "Visitor-Serving/Convenience Commercial" as set forth in the LCP.

It is expected that responses to this RFP process may include proposals to provide visitor-serving improvements, such as parking, landscaping, retail, restaurant and/or other public facilities. As stated in the RFP, the proposal that will be recommended to your Board for award of an exclusive right to negotiate for an unsubordinated ground lease will be required to include a landscaped park-like perimeter on both the Fiji Way and Admiralty Way sides of the parcel.

Implementation of Strategic Plan Goals

This recommendation is consistent with the County's Strategic Plan Goals of Fiscal Responsibility and Service Excellence in that the resulting lease will provide County a stream of revenue and the visitor-serving improvements, to be constructed by the proposer, will further the aims of AMS.

FISCAL IMPACT/FINANCING

This is a solicitation effort to obtain proposals that will maximize County revenue and accomplish the planning of Marina del Rey improvements on the subject parcel. A full financial analysis will accompany any subsequent project recommended to your Board. Other than budgeted consultant's costs to evaluate responses to the RFP, no County funds are presently contemplated to finance any costs associated with this request.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

RFP Parcel

This RFP pertains only to one County-owned parcel, Parcel 83S. There is no lease agreement in effect on the parcel. The site contains approximately 13,982 square feet of land area and no water area and is improved with one bench and seven by-permit-only,

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non-public parking spaces. The parcel lies within Development Zone 9 as defined by the LCP, and is designated for visitor-serving commercial uses.

Land Use Designation and Entitlements

It is expected that the successful proposer will benefit from the priority given to visitor-serving uses in Marina del Rey. Because the land area of the subject parcel is comparatively small, it is expected that sufficient entitlements will be available for a significant range of projects. Depending on the land use and scope of development proposed for the site, an LCP amendment may nonetheless be necessary to accomplish a given project plan, albeit unlikely. In issuing this RFP, the County will make no representation that any entitlements will, in fact, be obtained or that, in obtaining them, developers may not be subject to a wide range of conditions and requirements not now provided in the LCP.

The Small Craft Harbor Commission is scheduled to consider the Director's recommendation that your Board approve and authorize the release of the attached RFP at its meeting of June 9, 2004. We will advise your Board of the Commission's recommendation prior to your consideration of this request. The solicitation has been approved as to form by County Counsel.

ENVIRONMENTAL DOCUMENTATION

This development solicitation does not authorize any development of the involved County property, let alone the development of a particular project. The County is not committed to approving any new development through the release of this solicitation. In the event the solicitation yields a proposed development plan, the appropriate environmental documentation will be prepared when sufficient information regarding the proposed project is known in conjunction with the County's land use entitlement process. Any selected developer will be required to apply for and obtain all necessary land use and coastal development permits.

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CONTRACTING PROCESS

An evaluation committee, selected by the Director of the Department, will review proposals submitted in response to the RFP and recommend to the Director a developer with whom to pursue exclusive negotiations in the event it determines a proposal is worthy of pursuit. The Director will then request your Board to authorize exclusive negotiations with a recommended developer for a lease or lease option to design, finance, develop and operate the project.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There is no current impact on other projects and services due to the issuance of the RFP.

CONCLUSION

Approve and authorize release of the attached RFP and forward one adopted copy of this Board letter to the Department.

Respectfully submitted,

Stan Wisniewski

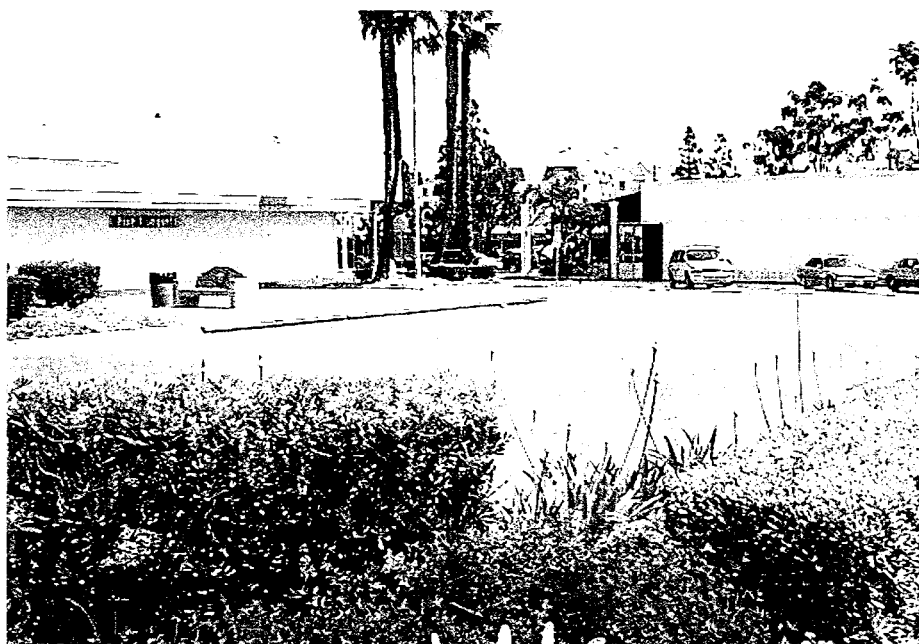
Stan Wisniewski
Director

Attachments (1)

c: Chief Administrative Officer
County Counsel

RM:pw

REQUEST FOR PROPOSALS FOR IMPROVEMENTS TO PARCEL 83S MARINA DEL REY



(SAMPLE IMAGE – FOR ILLUSTRATIVE PURPOSES ONLY)

ISSUED BY COUNTY OF LOS ANGELES
DEPARTMENT OF BEACHES AND HARBORS
MARINA DEL REY, CALIFORNIA
JUNE 2004

EXECUTIVE SUMMARY

COUNTY OBJECTIVES	<p>The County of Los Angeles seeks proposals for the ground lease and development of improvements to Parcel 83S, Marina del Rey. The primary objective of this project is the provision of visitor-serving uses. A further objective of this project is the provision of a landscaped park-like perimeter on the Fiji Way and Admiralty Way sides of the parcel. Information about this solicitation may be obtained from the Los Angeles County Department of Beaches and Harbors at http://beaches.co.la.ca.us</p> <p>The County manages Marina del Rey pursuant to the goals and objectives set forth in the Marina del Rey Local Coastal Program ("LCP") and the Marina del Rey Asset Management Strategy ("AMS"). The successful proposer is responsible for recognizing the goals of both the LCP and AMS.</p>
SITE DESCRIPTION	<p>Parcel 83S (the "Project Site") is situated on the northeast corner of the intersection of Fiji Way and Admiralty Way, which is located in the eastern portion of Marina del Rey. The Project Site contains approximately 0.321 acres of land area. Current improvements are limited and consist of a paved parking area, public bench and related hardscape and minor landscaping treatments. Although the parcel contains curb cuts at its Admiralty Way and Fiji Way perimeters, current access to the site is obtained principally via two driveways situated on the adjacent Parcel 50. Due to the limited distance between the existing parcel curb cuts and the intersection of Admiralty and Fiji Ways, proposers are advised to seek guidance from the County's Departments of Public Works (Traffic Division) and Regional Planning to determine whether intended uses will be able to obtain appropriate vehicular access.</p>
DEVELOPMENT OPPORTUNITY	<p>The County's preferred use of the site is for visitor-serving improvements. The improvements proposed may be constructed on a standalone basis or in conjunction with visitor-serving uses on adjacent or nearby parcels. The LCP allows uses consistent with the development category "Visitor Serving/Convenience Commercial." These terms are defined in the LCP, and include various uses.</p>
TRANSACTION STRUCTURE	<p>This Request for Proposals process may culminate in the exclusive right to negotiate an unsubordinated ground lease providing for minimum rents and percentage rents to the County. The County will not subordinate its fee interest or rental payments.</p>

**SUBMISSION
SCHEDULE
AND FORMAT** The proposer shall prepare one original and nine copies (except large-scale drawings and exhibits, if included in the package) of a Proposal Package in 8.5" x 11" format. Proposals must be organized following the Submission Requirements section and must include at least the requested information. Responses must be submitted not later than 5:00 p.m. on Monday, July 19, 2004.

**PROPOSER'S
CONFERENCE** Monday, June 28, 2004 at 9:00 a.m.
Burton W. Chace Park Community Building
13650 Mindanao Way
Marina del Rey, California

Attendance at the Proposer's Conference is not mandatory for proposers; however, questions regarding this Request for Proposals and the overall project will only be addressed at this meeting or for a limited time afterward in follow-up correspondence that will be shared with all proposers on record. An information packet containing additional background materials is available for purchase from the Los Angeles County Department of Beaches and Harbors.

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1. PROJECT OVERVIEW

1.1 THE DEVELOPMENT OPPORTUNITY

The County of Los Angeles (the "County"), through its Department of Beaches and Harbors ("DBH" or the "Department"), seeks proposals for the ground lease and development of improvements to Parcel 83S, Marina del Rey. The County seeks a development team that will provide the expertise, experience and financial ability to plan, construct and operate visitor-serving uses. A further objective of this project is the provision of a landscaped park-like perimeter on the Fiji Way and Admiralty Way sides of the parcel.

The Marina del Rey Land Use Plan (the "LUP"), a component of the Los Angeles County Local Coastal Program (the "LCP"), allows uses consistent with the development categories "Visitor Serving/Convenience Commercial." These terms are defined in the LUP, and include a range of visitor-serving uses such as amusement rides, boat rentals, ice cream shops, parking lots, restaurants and tourist information centers, as well as a variety of convenience commercial uses and other uses subject to additional permits.

1.2 PROJECT SITE

Parcel 83S (the "Project Site") is situated on the northeast corner of the intersection of Fiji Way and Admiralty Way, which is located in the northeast quadrant of Marina del Rey. As shown in Figure 1, Parcel 83S comprises the Project Site, which contains 0.321 acres of land area. Current improvements are limited and consist of a paved parking area, public bench and related hardscape and minor landscaping treatments.

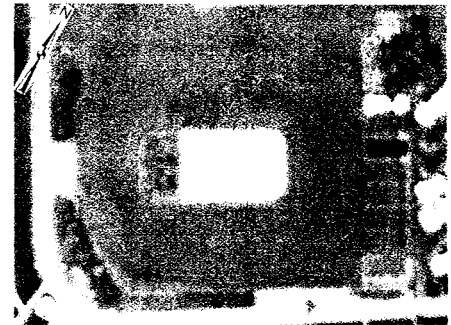


Figure 1.
Parcel Included in Project Site:
Parcel 83S

The aerial photograph in Figure 2 illustrates the vicinity of Parcel 83S. The parcel is accessible from the northbound lane of Admiralty Way and the westbound lane of Fiji Way. Although the parcel contains curb cuts at its Admiralty Way and Fiji Way perimeters, current access to the site is obtained principally via two driveways situated on the adjacent Parcel 50. Due to the limited distance between the existing parcel curb cuts and the intersection of Admiralty and Fiji Ways, proposers are advised to seek guidance from the County's Departments of Public Works (Traffic Division) and Regional Planning to determine whether intended uses will be able to obtain appropriate vehicular access. Figure 3 includes a diagram of the vicinity of the Project Site.

1.3 PROPOSAL EVALUATION AND SELECTION

The County will consider all proposals against the standards generally set out in this RFP and, to the extent competing proposals are submitted, will judge proposals against each other. Proposers are expected to set forth a plan that maximizes utilization of the Project Site while at the same time providing the minimum buildout requirements as set forth in Section 3.

Respondents are further encouraged to submit multiple proposals if they have more than one possible development solution. The County will also entertain proposals that incorporate parcel(s) adjacent to the Project Site, provided the proposer can demonstrate control of such parcel(s). While respondents are encouraged to propose a level of development that is most suited to the success of the overall project,

priority consideration will be given to plans that both meet minimum buildout requirements and maximize utilization of the Project Site. The County will enter into negotiations for a ground lease with the selected developer.

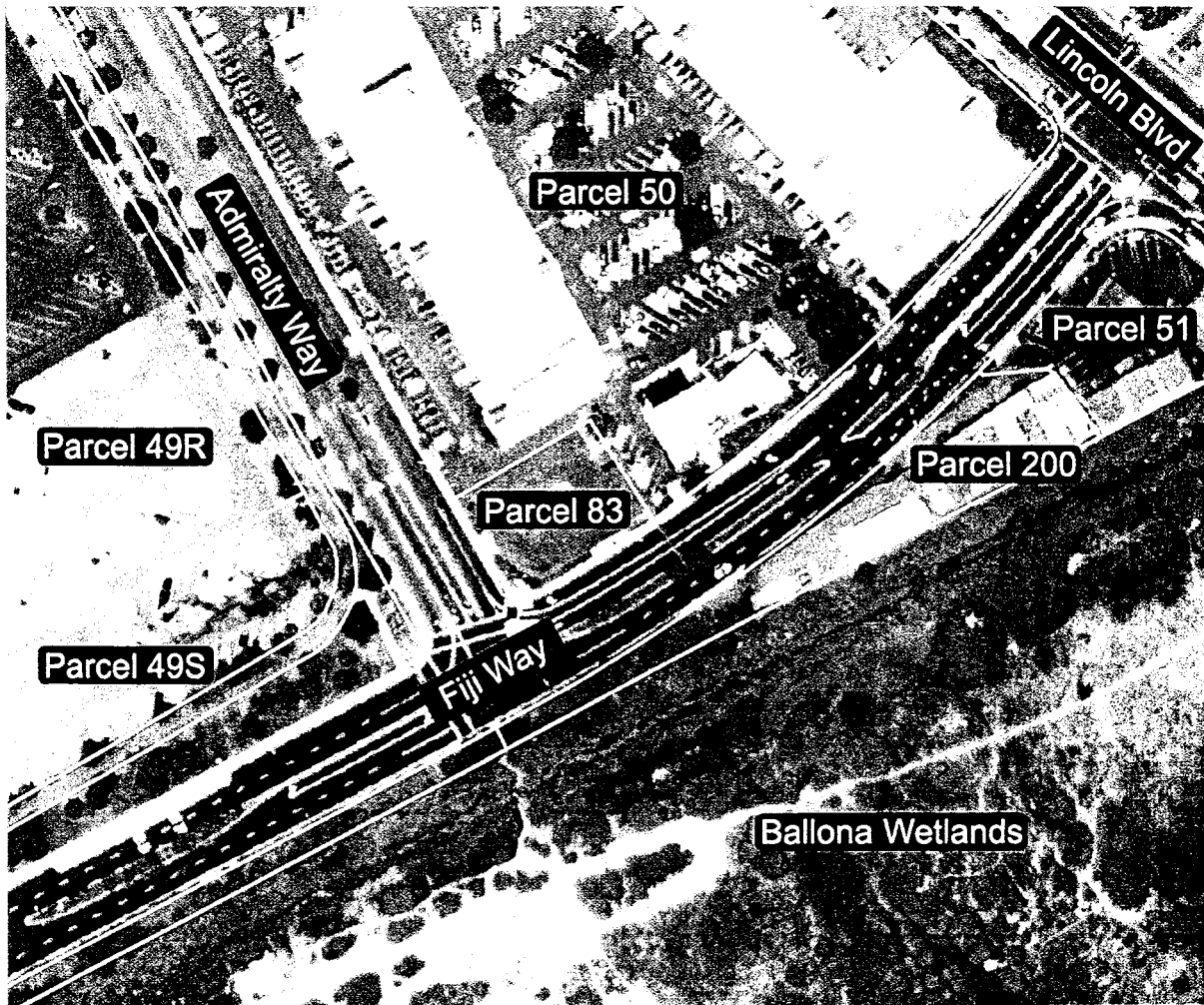


Figure 2. Aerial Photograph of Vicinity of Project Site

1.4 PROJECT CONSIDERATIONS

The County manages Marina del Rey pursuant to the goals and objectives set forth in the Marina del Rey Local Coastal Program (“LCP”) and the Marina del Rey Asset Management Strategy (“AMS”). The successful proposer is responsible for recognizing the goals of both the LCP and AMS. Among these goals, and the focus of this RFP, is improved site utilization. Through the provision of additional land area, the County expects to facilitate the process of redevelopment in Marina del Rey.

In furtherance of AMS goals, the County contemplates a number of planned redevelopment projects and related public improvements in the vicinity of the Project Site. The scope, funding and schedule of these potential redevelopment projects and public improvements are in various stages of analysis, evaluation and negotiation, and thus details are not yet finalized. Nonetheless, a number of these potential improvements may complement development on the Project Site and therefore discussions of these projects are included for informational purposes.

1.5 TRANSACTION STRUCTURE

The County will accept proposals for a long-term unsubordinated ground lease. Length of lease term will be considered based upon circumstances and demonstrated need for lease term length as it relates to project viability. However, the lease term shall in no event exceed the statutory limit (99 years), and the Department considers 60 years as the reasonable upper limit of recommendable new leases for most projects in the Marina.

1.6 SUBMISSION SCHEDULE, FORMAT AND COUNTY CONTACT

Responses are due no later than 5:00 p.m. Pacific Time on Monday, July 19, 2004. The application process and application contents are discussed herein, principally in Sections 3, 4 and the Appendix.

Submissions are to be delivered to the County Contact:

Delivery Address:

County of Los Angeles
Department of Beaches and Harbors
Attn: Alexander E. Kalamaros, CCIM
1383S7 Fiji Way
Marina del Rey, CA 90292

Contact Information:

Phone: 310.577.7961
Fax: 310.821.6345
Email: akalamar@dbh.co.la.ca.us
Internet: <http://beaches.co.la.ca.us>

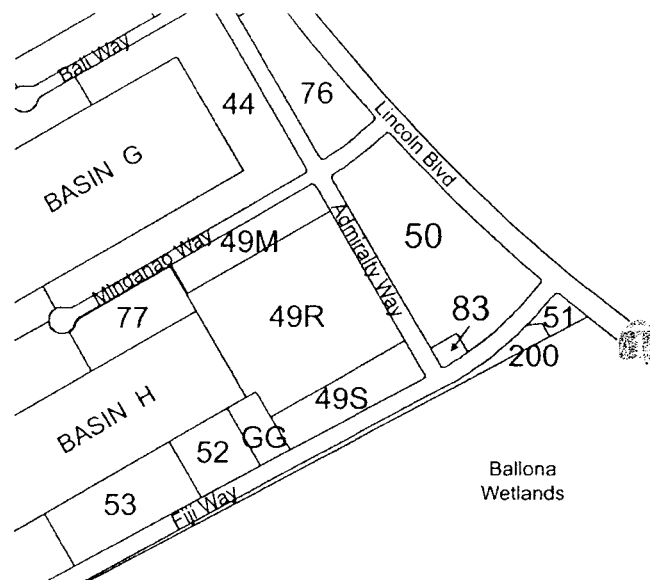


Figure 3.
Diagram of Project Site

2. BACKGROUND AND CONTEXT

2.1 GENERAL BACKGROUND

Marina del Rey is located on the Pacific coast within metropolitan Los Angeles (Figure 4). The County of Los Angeles (the "County") owns the land and water area that comprises Marina del Rey proper. Marina del Rey (the "Marina") is situated in an unincorporated area of the County. In the late 1950s the Marina was dredged and in the 1960s the Marina was improved with landside and water developments. Most of this land and water area has been developed under ground leases administered by the Department.

Development in the Marina is governed by the LCP, which was certified by the California Coastal Commission in 1996. The Board of Supervisors of the County adopted the AMS in 1997 to reflect the County's objectives and goals in seeking to maintain and enhance the Marina's reputation as a premier recreational boating harbor with attractive residential, shopping and dining facilities and overnight accommodations. In 2001, the County established the Marina del Rey Convention and Visitors Bureau to promote the general guidelines and programs for achieving the visitor-serving objectives of the LCP.



Figure 4. Location of Marina del Rey

2.2 ONGOING REDEVELOPMENT EFFORTS

The Department has previously issued several other solicitations in connection with the first phase of Marina redevelopment. These solicitations have resulted in negotiations for over twenty new development and renovation projects with a value in excess of one billion dollars that collectively total 3,577 apartments, 1,641 hotel rooms and 1,544 boat slips. Of the total 3,577 new apartments, 1,656 units will replace apartments that are approximately thirty-years old, and the remaining 1,921 units will constitute new additions to existing parcels. The 1,544 new boat slips will replace 2,052 slips that are approximately thirty-years old, and will utilize the same water area but will provide larger slip sizes, on average, reflecting the demand of the boating community and will provide improved boater amenities. Additionally, a limited amount of new retail, office, restaurant and storage space has been proposed, together with a new 2+ acre park on the Marina's west side.

2.3 OVERVIEW OF MARINA DEL REY

Marina del Rey is one of the largest small craft harbors under unified management in the United States. Of the total approximately 800 acres within the Marina, there are approximately 150 acres of water area and approximately 250 acres of land area under long-term unsubordinated ground leases. Marina del Rey is the home of over 50 major commercial leaseholds and over 300 subleases. Major components of Marina del Rey include the following:

- Approximately 5,300 boat slips;
- Approximately 6,000 rental apartment units;
- 600 luxury condominiums;
- Six hotels with a total of over 1,000 rooms; and
- Approximately 1,000,000 square feet of commercial space including office, retail and restaurants.

2.4 OVERVIEW OF ASSET MANAGEMENT STRATEGY (AMS)

In the AMS adopted in 1997 for the Marina, the County addressed some of the critical issues for preserving and enhancing the location's prestigious identity, dealing with second-generation development and ensuring that when the majority of existing Marina leaseholds recycle, the Marina will be a viable, exciting area capable of continuing to produce substantial revenues for the County, while serving the needs of both the recreational boater and the community at large for water-oriented recreation.

The four main elements of AMS are:

- A long-term vision for the Marina that establishes it as a vibrant urban waterfront development;
- Catalytic development projects that will draw people on a regional basis, spur further leasehold development and set a standard for design quality;
- Development mechanisms to encourage leasehold redevelopment proposals consistent with the long-term vision; and
- Other mechanisms to encourage refurbishment and ensure quality maintenance of those leaseholds that will not be redeveloped during the remaining terms of their leases.

There are five characteristics common to successful waterfront developments in the Marina that the County wishes to achieve. These five characteristics are:

- A powerful sense of place;
- An accessible waterfront, both physically and visually;
- An exciting mix of inter-related, water-oriented uses;
- A multi-modal transportation system that facilitates pedestrian activity and alternative forms of travel; and
- A varied, high-quality residential environment.

Consistent with the above goals, creating a sense of place and an enhanced visitor-serving environment are two of the major objectives of this RFP.

2.5 LOCAL COASTAL PROGRAM OVERVIEW: INTRODUCTION TO MARINA ENTITLEMENTS

The Marina del Rey LCP governs development in the Marina. The LCP was adopted by the Los Angeles County Board of Supervisors and effectively certified by the California Coastal Commission in 1996. The last comprehensive amendment to the LCP established the potential for a limited amount of additional development within the Marina based on the capacity of local transportation arteries to handle additional traffic. For planning purposes, this additional development potential is allocated among fourteen Development Zones ("DZs") rather than to individual parcels. Aggregate development in the Marina, as well as development within each DZ, is regulated by the allocation of evening (p.m.) peak hour traffic trips.

Information regarding entitlements as set forth in the LCP is presented here for informational purposes only. The LCP specifies maximum buildout, open space requirements, viewshed protection, parking requirements, traffic limitations and other types of entitlement issues. The LCP is available for review at the Marina del Rey Public Library, the DBH office or the Los Angeles County Regional Planning Department ("DRP") and is available for purchase at the DBH office. The LCP may be viewed online at: <http://beaches.co.la.ca.us/bandh/marina/development.htm>

A significant element in the application and development process will be treatment of entitlement issues. A brief overview of LCP/Regional Planning/Coastal Commission Requirements is set forth in Appendix E.

2.6 RECENT PRIVATE INVESTMENT IN THE MARINA

There has been a significant amount of recent investment in the redevelopment of leased properties located in the Marina. Since 1990, this investment has resulted in the following projects:

- Construction of the Ritz-Carlton Hotel;
- Remodel of existing guest rooms at the Marina Marriott Hotel;
- Remodel of Dolphin Marina apartments and replacement of anchorage facility;
- Construction of 128 new Panay Way apartment units;
- Remodel of the Del Rey Yacht Club facilities;
- Replacement of 150 existing slips at the California Yacht Club;
- Remodel of existing Bay Club apartments;
- Remodel of the Red Onion Restaurant into FantaSea Yacht Charters;
- Remodel of Charley Brown's Restaurant into Tony P's Dockside Grill;
- Remodel of Reuben's Restaurant into Harbor House Restaurant;
- Remodel and expansion of Shanghai Red's Restaurant;
- Remodel of The Boat Yard to add ship chandlery;
- Construction of a new boathouse for Loyola Marymount University;
- Remodel of interiors, exterior and landscaping of Oakwood Apartments;
- Construction of 1,052 apartments and new boat slips at Parcels 12 and 15 (in progress);
- Construction of 120 new apartments and new boat slips and remodel of 853 existing apartments at Parcels 111/112 (in progress); and
- Construction of 99 new apartments and new boat slips at Parcel 20 (in progress).

2.7 MARINA GOVERNANCE

Marina del Rey is situated in an unincorporated portion of Los Angeles County and therefore is under the direct jurisdiction of the County Board of Supervisors (the "Board"). When the Marina was developed, the Board created the Small Craft Harbor Commission ("SCHC") to oversee activities and recommend leases and policy matters to the Board. The SCHC consists of five members appointed by the Board. The SCHC recommends actions regarding Marina del Rey to the Board, which has the power to make decisions and direct activity.

Ongoing administration is the responsibility of DBH, which oversees all County-owned or controlled beaches as well as all land and water area encompassed by Marina del Rey. Within the Marina, DBH manages and administers over 50 ground leases covering hotel, restaurant, office, residential, retail, harbor, anchorage, parking and concession uses. The Department's scope of activities entails significant asset management responsibility due to the size and complexity of the leasehold and concession interests, which it manages. The County's powers and rights in its governmental capacity are not affected by its leasing to proposers or developers in its proprietary capacity.

2.8 MARINA CAPITAL PROJECTS

The County and various other agencies responsible for the ongoing administration and improvement of the Marina provide capital improvements to the area's infrastructure. These recent and planned investments provide a significant level of support for new development and include the following:

- The U.S. Army Corps of Engineers (the "Corp") has jurisdiction over the construction of shoreline structures and other activities in the water areas of Marina del Rey. Between 1994 and 1996 the Corps and the County spent \$5.5 million to dredge nearly 300,000 cubic yards of material to maintain the Marina's entrances.
- An additional 700,000 cubic yards of waterway dredging began in 1998 and was completed in 2000 with a total projected cost of \$7.7 million.
- A \$23.5 million project to reinforce all 758 panels of the Marina seawall was completed in 2000.
- The County is currently in the planning process of Phase I implementation of a Marina-wide landscape and lighting redesign of roadway medians and multiple entry parcels.
- The County is currently planning for the widening of Admiralty Way from four to five lanes between Fiji Way and just west of Bali Way and six lanes from just west of Bali Way to Via Marina.
- The County, along with state and regional traffic authorities, is working on plans to extend the Marina Freeway (State Route 90) from its current terminus at Lincoln Boulevard to a point on Admiralty Way near the public library.
- The County is working on the planned expansion of Chace Park to create a public park over ten acres in area after expansion.

3. PROJECT DESCRIPTION

3.1 ULTIMATE AIM OF THE IMPROVEMENTS

The ultimate aim of the Parcel 83S Improvements project is to facilitate the overall process of Marina del Rey redevelopment through the provision of added visitor-serving improvements. To the extent possible on this relatively small site, additional aims may include recreation and visitation of the retail, restaurants and public facilities in the immediate vicinity. The successful proposal will make effective use of existing available entitlements. By maximizing connections to the surrounding area, the project will provide a quality project environment while serving to implement the LCP and AMS.

3.2 ILLUSTRATIVE PROJECT PLANS

As shown on the cover page and in Figure 5, the implementation of improvements in the area of the Project Site varies, depending on site conditions and intensity of the proposed use. However, it is expected that the successful proposer will respond to this RFP with a plan for new visitor-serving improvements.

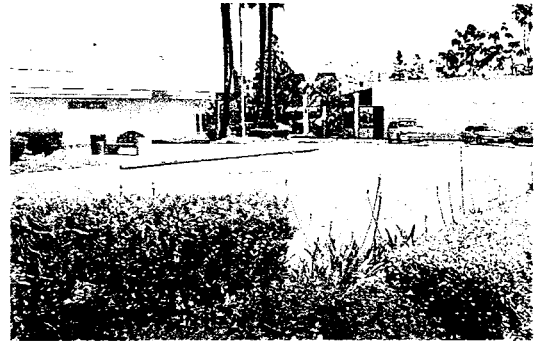


Figure 5. Area of Project Site

3.3 PROJECT BUILDOUT

Based on preliminary feasibility estimates, it is estimated that the Project Site is suitable for at least nominal buildout. The potential further addition of a landscaped park-like perimeter on the Fiji Way and Admiralty Way sides of the parcel may be possible with a design and site plan that complements planned development in the immediate vicinity. The project is to be designed to serve the needs of both the users of the improvements and visitors to the area.

Figure 6. Minimum Buildout of Project Site

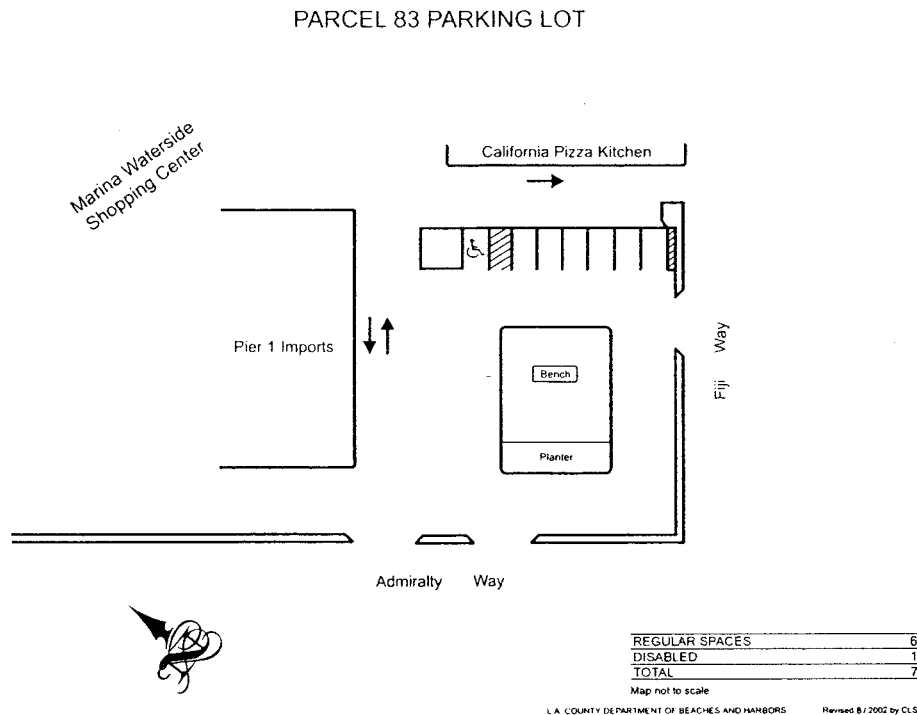
<i>Land Area Only (No Water Area)</i>	
<ul style="list-style-type: none"> ▪ Provision of visitor-serving improvements and any required related parking ▪ Landscaped perimeter treatment 	

3.4 SITE DESCRIPTION OF PROJECT PARCEL

Figure 7 shows a sketch of the existing improvements on the Project Site. Figure 8 shows the dimensions of the Project Site. A description of the Project Site follows:

- Parcel 83S** is currently a parking lot with a bench and planter. There is no lease agreement in effect on the parcel. The site contains approximately 13,982 square feet of dry lot area. Parcel 83S lies within Development Zone 9 and is designated for visitor-serving commercial uses. Although the parcel contains curb cuts at its Admiralty Way and Fiji Way perimeters, current access to the site is obtained principally via two driveways situated on the adjacent Parcel 50. Due to the limited distance between the existing parcel curb cuts and the intersection of Admiralty and Fiji Ways, proposers are advised to seek guidance from the County's Departments of Public Works (Traffic Division) and Regional Planning to determine whether intended uses will be able to obtain appropriate vehicular access.

Figure 7. Sketch of Existing Improvements on Project Site



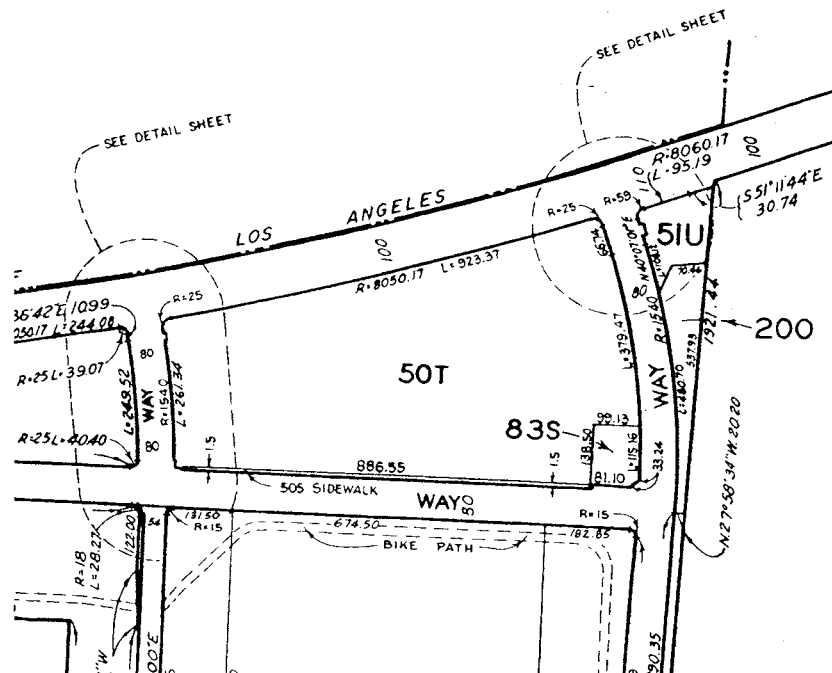


Figure 8. Dimensions of Project Site

3.5 DESCRIPTION OF ADJACENT AND NEARBY PARCELS

- **Parcel 50**, also known as Marina Waterside Shopping Center, is located to the north and east of Parcel 83S and is the only parcel that abuts Parcel 83S. Parcel 50 contains approximately three dozen retail spaces housed in three buildings. Portions of this parcel are planned to undergo construction, including the expansion of the anchor tenant's space, the addition of second story façade elements, traffic recirculation and landscaping improvements. Construction is expected to commence as early as Fall 2004. This parcel contains approximately 423,681 square feet of dry lot area.
- **Parcel 49** lies to the west of Parcel 83S, across Admiralty Way. Parcel 49 contains the Marina's public boat launch, as well as public parking, dry-stack storage and a portion of the South Bay Bike Trail. This parcel contains approximately 738,699 square feet of dry lot area and 41,800 square feet of wet lot area.
- **Parcel 200** is located south of Parcel 83S across Fiji Way. Parcel 200 contains a power utility substation and is closed to the public. This parcel contains approximately 25,754 square feet of dry lot area.
- **Parcel 51** lies to the southeast of Parcel 83S across Fiji Way. Currently Parcel 51, situated at the corner of Lincoln Boulevard and Fiji Way, is undergoing redevelopment and is planned to serve as a gateway "parkette" to the Marina. This parcel contains approximately 22,440 square feet of land.
- **Playa Vista Area A** is an area of land that is situated to the south and southwest of Parcel 83S across Fiji Way. This area was recently acquired by the State of California and has been mentioned for use as a State park. Although not open to the public, the area provides a visual attraction to users of the South Bay Bike Trail along Fiji Way, and provides an attraction for birdwatchers and other wildlife enthusiasts.

3.6 LOCAL MARKET DESCRIPTION

Situated on the northeast corner of Marina del Rey, Parcel 83S enjoys proximity to the main shopping center and to the only public boat launch in Marina del Rey. The public boat launch parking lot contains approximately 234 automobile spaces and 152 dry slips for boat storage and is the main entry point for the public boating community to the Marina. The Waterside Shopping Center is the largest retail center in the Marina and contains the Marina's only supermarket, generating a high flow of traffic from both the local community and visitors to the Marina.

The South Bay Bike Trail ("SBBT") runs approximately 26 miles, generally along the beach, from a southern point of the Santa Monica Bay near Redondo Beach to the north rim of the Santa Monica Bay in the Pacific Palisades community. SBBT is a major public attraction for bicycle, in-line skating, running, walking and other exercise enthusiasts. As one of the areas major outdoor public amenities, the SBBT draws a large number of visitors to and through the Marina, a number of whom choose to exit and enter at the corner of Admiralty Way and Fiji Way and pass by Parcel 83S in order to stop at the adjacent shopping center.

In Marina del Rey, there are approximately 20 commercial vessels in operation, ranging in capacity from 20 persons to over 200 persons. These commercial vessels provide daily services including sportfishing tours, whale-watching charters, Catalina charters, dinner cruises, special events, and on-the-water film production, among others.

3.7 SITE UTILIZATION

The primary land use regulations for Marina del Rey are contained in the LCP, which is comprised of the Marina del Rey Land Use Plan and the Marina del Rey Local Implementation Program. In 1996, the California Coastal Commission and the County of Los Angeles approved a comprehensive amendment to the LCP. Currently, the LCP permits principal uses on the subject Parcel shown in the Appendix.

3.8 SUGGESTED GUIDING PRINCIPLES FOR PROJECT DESIGN

Based on the information previously described, including the LCP and the AMS, and a strong desire to create the best possible project, the following principles are suggested for project design, to the extent possible on this relatively small parcel:

- Vision consistent with the AMS and LCP
- Facilities that encourage project use by recreational and commercial visitors
- Emphasis on physical environmental quality
- Secure and comfortable layout

Respondents are also advised that the Department has published a set of design guidelines in draft form that may further inform the design process. However, these draft guidelines have not been approved by the County and are subject to change. The draft guidelines may be viewed online at: <http://beaches.co.la.ca.us/bandh/marina/development.htm>

In addition to these examples of guiding principles, respondents are advised to review Section 5 of this RFP, which includes a brief explanation of the criteria on which proposals will be judged.

3.9 AVAILABILITY OF PROJECT ENTITLEMENTS

Given the parcel size and potential uses, entitlements for the Parcel 83S Improvements project are expected to be available by virtue of the priority given to visitor-serving uses in Marina del Rey. Proposers are advised to consult with the Department, and the County Department of Regional Planning, to determine if sufficient entitlements are available for any proposed project use or use intensity, and in addition, whether the proposed use is within the parameters of the LCP and other relevant regulations.

3.10 LCP AMENDMENT

If an amendment to the LCP is required, additional requirements for regulatory approvals by the Marina del Rey Design Control Board ("DCB"), the County Department of Regional Planning ("DRP"), and the California Coastal Commission ("CCC"), as well as recommendation by the Small Craft Harbor Commission ("SCHC") and approval of the Los Angeles County Board of Supervisors ("BOS") will be needed and, respondents are advised to consult with the Department of Regional Planning to assess the complexity, scope and length of time it may take to achieve the approvals needed to complete the project. Respondents should consider a time estimate in accordance with requirements of the various regulatory bodies including the DCB, SCHC, DRP, BOS and CCC.

3.11 NO AVAILABILITY OF PUBLIC FINANCING

While some form of public-private partnership is anticipated, the County may reject proposals that require public financial participation. Respondents should clearly specify any projected contingency, need or desire for public financing related to submitted proposals.

3.12 PROPOSALS THAT INCLUDE PARCELS REQUIRING LEASE EXTENSIONS

In cases where a respondent chooses to submit a proposal that includes one or more existing leaseholds, additional requirements will apply. These requirements are covered in detail in the Appendix.

3.13 CONFIDENTIALITY

Details of the proposals submitted in response to this RFP will remain confidential and will not be released to others prior to the Director's recommendations being presented to the Small Craft Harbor Commission. To preserve confidentiality, some information may be marked "CONFIDENTIAL" or "PROPRIETARY" and the County will recognize such designation to the extent permitted under the Public Records Act (see the Notice to Proposers Regarding the Public Records Act" set forth fully in Appendix).

4. OVERVIEW OF TERMS

The County will only accept proposals for a long-term, unsubordinated ground lease. Following are terms and conditions, which should be incorporated in the proposals.

4.1 RENT

Base minimum rent shall be generally equivalent to 75% of projected rent generated from percentage rent. Percentage rents shall be based on gross revenue per a schedule established in each ground lease, subject to adjustment over the term of the lease. In the following Figure 9, examples of percentage rents by use category are presented. Rent proposals will be evaluated within the context of uses that are proposed and/or the relationship to adjacent or complementary uses.

Figure 9.
Examples of Percentage Rents by Use Category for Properties in Marina del Rey

<i>Use Category</i>	<i>Range</i>		<i>Prevailing Rate</i>
	<i>Low</i>	<i>High</i>	
Boat Storage (landside)	10.0%	27.0%	20.0%
Hotel/Motel Rooms	7.5%	8.0%	7.5%
Restaurant (Average of Food & Beverage)	3.0%	5.0%	3.5%
Apartment	9.0%	12.5%	10.5%
Slips	20.0%	33.0%	25.0%
Retail	1.5%	4.0%	2.0%
Office	7.5%	12.5%	11.0%
Vending/Telephone Commissions	25.0%	25.0%	25.0%
Cocktail Lounge	10.0%	10.0%	10.0%
Commissions - Service Enterprises	20.0%	20.0%	20.0%
Valet Parking Fees	5.0%	7.5%	7.5%
Parking Fees	20.0%	20.0%	20.0%
Miscellaneous sales	1.0%	5.0%	5.0%

4.2 ADDITIONAL LEASE TERMS

The County will require that the following additional terms, among others, be incorporated into any ground lease:

- Participation by the County in the proceeds from the transfer/sale of the leasehold interest based upon the higher of: (a) a fixed percentage of the sale price, or (b) a fixed percentage of net profit from the sale;
- Participation by the County in proceeds from the refinancing of the leasehold interest based upon a fixed percentage of refinance proceeds not reinvested in the leasehold or used to retire existing financing;
- Late payment charges for any type of rent or payment due to the County including a fixed percentage of the amount due plus interest;
- Provisions for County assignment consent and recapture rights;
- Periodic adjustment of minimum and percentage rents to market levels;
- Disclosure of beneficial ownership;
- Maintenance standards and liquidated damages for failure to adhere to these standards;
- General liability insurance coverage and periodic insurance requirement readjustment;
- Security deposit; and
- Fund for removal of improvements at termination of lease.

4.3 PROPOSER'S RESPONSIBILITIES

The selected development team will be responsible for payment of all costs and expenses in connection with the project including, but not limited to: costs associated with securing necessary entitlements and environmental documentation; ground clearing, site preparation and construction of new buildings; maintenance; underground utilities; insurance and taxes; permits and inspection fees; costs and mitigation fees associated with the development; and architectural, environmental, engineering and other related work. Developer will be responsible for all brokerage fees, if any. The County will not pay any broker's fees or finder's fees.

The selected developer or development team will be required to:

- Select the development team;
- Obtain all necessary entitlements and permits;

- Coordinate, manage and facilitate the review of the project by the DCB, the Regional Planning Commission, the County's Board of Supervisors, the California Coastal Commission and the local community, as well as assist DBH in responding to community issues or concerns that may arise;
- Manage the work effort of the entire development team, the architect, the general contractor, and construction manager (if any) during construction;
- Subsequent to completion, manage the daily operations of the commercial facilities in a professional manner to maintain high standards of operational quality, including contractual agreements with experienced operators if necessary to do so; and
- Market the development.

In summary, the selected development team will be required to address the multitude of issues and complete the multitude of tasks required to develop and operate the proposed development.

4.4 PROPERTY CONDITION/SITE CONDITIONS-RESTRICTIONS

Environmental investigations, tests, reports or remediation through various governmental agencies may be required for redevelopment of the Project Site. A due diligence period, if necessary, will be provided during negotiations between the County and the selected developer. All costs of any such investigation will be borne by the selected developer. Rights of review and approval of the results of such investigations, if required, will be given to the selected developer. If the selected developer, acting in good faith, disapproves the results of such investigation, negotiations with the County may be terminated prior to the end of the due diligence period. If not terminated, the responsibility for clean-up of contamination or toxic materials will rest with the selected developer and will not be the responsibility of the County.

Although the parcel contains curb cuts at its Admiralty Way and Fiji Way perimeters, current access to the site is obtained principally via two driveways situated on the adjacent Parcel 50. Due to the limited distance between the existing parcel curb cuts and the intersection of Admiralty and Fiji Ways, proposers are advised to seek guidance from the County's Departments of Public Works (Traffic Division) and Regional Planning to determine whether intended uses will be able to obtain appropriate vehicular access.

4.5 ENTITLEMENT ISSUES

A significant element in the application and development process will be treatment of entitlement issues. A brief overview of LCP/Regional Planning/Coastal Commission Requirements is set forth in Appendix E.

Respondents should be aware that respondents might be subject to a wide range of conditions not contemplated in this RFP in connection with obtaining entitlements for a proposed project. As circumstances dictate, DBH will participate in DCB, LCP, Regional Planning and other necessary regulatory proceedings, however, while the County is a necessary co-applicant, sponsoring and obtaining LCP amendments and/or other regulatory approvals is the sole responsibility of the successful proposer.

4.6 APPLICATION PROCESS

4.6.1 Detailed Response Information

Proposers must submit complete responses by 5:00 p.m. Pacific Time on Monday, July 19, 2004 in the form set forth in Appendix H, "Contents of Proposal."

The proposal should be sent to the County Contact as described in Section 1, to the following address:

County of Los Angeles Department of Beaches and Harbors
Attn: Alexander E. Kalamaros, CCIM
1383S7 Fiji Way
Marina del Rey, CA 90292

4.6.2 Response Schedule

Release of RFP	June 15, 2004
Developer's Orientation (9:00 AM at Burton W. Chace Park Community Building, Marina del Rey)	June 28, 2004
Proposals Due	July 19, 2004
County schedules interviews	To be determined
Evaluation Committee issues recommendation to Director	To be determined
Director recommends selection of entity with which to negotiate exclusively	To be determined
Small Craft Harbor Commission reviews Director's recommendation	To be determined
Board of Supervisors selects entity with which to negotiate exclusively	To be determined

5. PROPOSAL SUBMISSION AND REVIEW

5.1 DEVELOPER'S ORIENTATION CONFERENCE

Prior to submitting a proposal in response to this RFP, interested potential respondents should attend the Developer's Orientation Conference. At this meeting, DBH staff will provide an overview of this RFP. DBH's economic and legal consultants, as well as representatives from the Regional Planning Department and the Department of Public Works will be invited to answer questions regarding this RFP. If the applicant chooses to proceed with a project, the proposal submittal process outlined in Sections 4 and 5 and the Appendix should be followed. Proposals in response to this RFP will be due to the County no later than the submittal deadline set forth in Section 1.6.

Notwithstanding a recommendation of a department, agency, individual, or other entity, the Board of Supervisors retains the right to exercise its judgment concerning the selection of a proposal and the terms of any resultant agreement, and to determine the proposals, if any, which best serve the interests of the County. The Board is the ultimate decision-making body and makes the final determinations necessary to arrive at a decision to award, or not award, a new lease or lease extension.

5.2 PROPOSAL PACKAGE

Proposers must submit 10 copies, in 8.5" x 11" three-ring loose-leaf binders with up to five graphic exhibits in 11" x 17" format, folded to fit within the 8.5" x 11" three-ring format. **All pages must be numbered.** The sealed envelope must state "RFP Submittal." Proposals submitted by electronic mail or facsimile will not be accepted. Proposals are due by 5:00 p.m. Pacific Time on the submittal deadline date set forth in Section 1.6 to the County Contact as described in Section 1. DBH reserves the right to request additional information during the RFP review period.

5.3 CONDITIONS AND LIMITATIONS

This RFP does not represent an offer or commitment by the County of Los Angeles to enter into an agreement with a proposer or to pay any costs incurred in the preparation of a response to this request. The responses and any information made as part of the responses will not be returned to proposers. This RFP and the selected proposer's response to this RFP, may, by reference, become a part of any formal agreement between the proposer and the County resulting from this solicitation.

The proposer shall not collude in any manner or engage in any practices with any other proposer(s) that may restrict or eliminate competition or otherwise restrain trade. Violation of this instruction will cause the proposer's submittal to be rejected by the County. The prohibition is not intended to preclude joint ventures or subcontracts that are identified in the proposal.

All proposals submitted must be the original work product of the proposer. The copying, paraphrasing, or otherwise using of substantial portions of the work product of another proposer is not permitted. Failure to adhere to this instruction will cause the proposal to be rejected.

The County has sole discretion and reserves the right to reject any and all proposals received with respect to this Request for Proposals and to cancel the Request for Proposals at any time prior to entering into a formal lease agreement.

The County reserves the right to request clarification of the RFP or additional data without changing the terms of the RFP.

5.4 DEVELOPMENT COMPONENTS

Please identify each of the major components of the proposed development, *e.g.* retail, parking, etc. Proposals must include detailed, parallel information for each of these components.

5.5 SUBMITTAL OF ALTERNATE PROPOSALS

Respondents may desire that alternative RFP proposals on a given parcel(s) receive consideration in the event their primary proposal is rejected. The County will consider such provided the respondent's alternate proposal is submitted in a separate document and is labeled with the subtitle "ALTERNATE PROPOSAL." Alternate Proposals:

- Must be completely self contained;
- May not include references to any outside documents; and
- Must be turned in on the same submission schedule as all other proposals.

5.6 OVERVIEW OF CONTENTS OF PROPOSAL

In general, all proposals will have nine required sections as shown below and in the order as set forth in the Appendix. The sections are set forth here in summary format.

- SECTION 1 - DEVELOPMENT CONCEPT
- SECTION 2 - PROJECT TIMETABLE AND CRITICAL ENTITLEMENT ISSUES
- SECTION 3 - COST ESTIMATE
- SECTION 4 - FINANCIAL PROPOSAL AND PROJECTIONS
- SECTION 5 - DEVELOPMENT TEAM INFORMATION, PAST EXPERIENCE (FOR EACH COMPONENT) AND FINANCIAL INFORMATION
- SECTION 6 - STATEMENT OF FINANCIAL QUALIFICATIONS AND RESPONSIBILITY OF DEVELOPER
- SECTION 7 - DISCLOSURE OF BENEFICIAL OWNERSHIP
- SECTION 8 - OTHER REQUIRED FORMS
- SECTION 9 - ADDITIONAL REQUIREMENTS FOR PROPOSALS WHICH INCLUDE LEASE EXTENSIONS

5.7 EVALUATION COMMITTEE

The evaluation of the proposal responses will be conducted by an "Evaluation Committee" selected by the Director of Department of Beaches and Harbors. The Evaluation Committee may include DBH staff members, representatives of other County agencies and departments and/or non-County personnel who may have demonstrated expertise in pertinent development fields.

The Evaluation Committee will rank and recommend proposals to the Director who will, in turn, make his recommendations to the Small Craft Harbor Commission ("SCHC") and to the Board of Supervisors. Neither the Director, nor the SCHC, nor the Board is bound by the recommendations of the Evaluation Committee. The Los Angeles County Board of Supervisors has the ultimate authority and responsibility for the selection of a developer, if any, for proposed development on the Project Site and any related parcels.

5.8 EVALUATION CRITERIA

The County's primary evaluation criteria are: (1) revenue enhancement, (2) implementability, (3) implementation of AMS, including consideration of impact on and/or enhancement of usability by Marina visitors, (4) upgrading the east side of the Marina, and (5) creativity. The objective is to enhance the Marina as a desirable location and provide a cohesive theme for new private development and public facilities as well as to improve the County's revenue flow. Implementability means that the County must be satisfied that the responding development team has the ability to fully complete the project in an expeditious manner. The County will consider:

- Entitlement risk;
- Financial risk;
- Income enhancement, within the context of the uses proposed for the site and with relation to any proposed combination with adjacent or nearby sites/uses;
- Creativity and quality;
- Design and construction capability;
- Project management capability;
- Property management capability;
- Successful marketing and operating experience of the developer and, if applicable, the operator of the project;
- The marketing image, financial strength and management systems of, if applicable, the operator of the project;
- Extent to which existing lessee has complied with all terms and conditions of its lease;
- Compatibility with the goals and objectives of the Marina del Rey Asset Management Strategy, including pedestrian orientation and visitor-serving objectives, and related non-monetary public benefits; and
- Experience in public/private projects.

5.9 EVALUATION PROCESS

The initial review will compare all proposals for compliance with the submission requirements. Any proposals with significant omissions may be rejected and the proposers will be notified of their failure to comply with the requirements of the RFP process. The County reserves the right to request that proposers bring their submissions into compliance within a very short time period after notification.

A detailed, point-by-point comparison will be made of all complete proposals. Requests for clarification may be sent to certain proposers. Proposers may be asked to attend an interview by the Evaluation Committee.

Based on the evaluation criteria, the proposals will be rated by the Evaluation Committee, which will recommend the selected proposer to the Director, who will in turn make his recommendations to the SCHC and the Board of Supervisors.

5.10 FINAL AWARD BY BOARD OF SUPERVISORS

Notwithstanding a recommendation of a department, agency, commission, individual, or other person, the Board of Supervisors retains the right to exercise its judgment concerning the selection of a proposal and the terms of any resultant agreement, and to determine which proposal, if any, best serves the interests of the County. The Board is the ultimate decision-making body and makes the final determinations necessary to arrive at a decision. The Board reserves the right to reject any and all proposals.

APPENDIX A

DEPARTMENT OF BEACHES AND HARBORS

POLICY STATEMENT

Leasehold Term Extension - Marina del Rey

The County's policies and official goals/objectives with regard to granting lease extensions to Marina del Rey leaseholders are:

1. Redevelopment and making the properties economically and physically competitive (e.g., competitive with the new hotels, condominiums, slips and retail buildings in the new Playa Vista project and other new Westside projects). Redevelopment will be rigidly defined to differentiate it from deferred maintenance, refurbishing or extensive redecoration.
2. Redevelopment of leasehold uses to ensure long-term economic viability of the improvements, increased County revenue, and enhancement of public facilities.
3. It is understood that the Local Coastal Plan (LCP) restricts some leaseholds from redeveloping to higher density, or modifying existing land use. The County will consider sponsoring, in concert with the affected leaseholders, an amendment to the LCP when:
 - The proposed project and amendment will trigger redevelopment.
 - Redevelopment may be an upgrade of facilities such as providing larger units, not just higher density.
 - The proposed redevelopment will enhance the County's revenue stream and create public facilities.
 - All proposed leasehold LCP amendments have been sufficiently reviewed and processed appropriately which will include public hearings. The County is desirous of combining all LCP amendments into one planning amendment and environmental assessment, but at appropriate intervals may consider sponsoring additional amendments when they will ensure leasehold viability and increased County rent.
4. Receipt of fair consideration by the County for the extension (in addition to fair market rent).
 - The County will require a lease extension fee equal to the value of granting the extension.
 - The County will require a guarantee that redevelopment will commence promptly and within a specific, prescribed time frame.
 - Redevelopment of a leasehold interest satisfactory to the County will entitle the lessee to a rent credit of part of the lease extension fee for a limited, prescribed period of time. Assurance of the County's continuity of annual rental income flow will be paramount in determining the timing of the partial credit.

- The purpose of the extension fee and redevelopment requirements is to provide each lessee with an incentive to redevelop.
 - Only where redevelopment is not physically or legally possible, will the County consider alternative requirements for lease extension if the leasehold's current use meets the objectives and permitted uses of regulatory agencies and, in the County's judgment, the facilities meet appropriate building codes and economic and physical viability is ensured during the extended lease term.
5. Ensuring payment of fair market rents commensurate with the new value of the lease including its extension.
 6. Securing County financial participation in sale, assignment or refinancing of leasehold interests.
 7. Payment for County administrative costs associated with lease extension and other lease related costs.
 8. Staging of rental arrangements and physical redevelopment to ensure continuity of County rental income flow.
 9. Retention of 50 percent of the additional funds resulting from lease extension to upgrade physical infrastructure of the Marina.
 10. Processing a master LCP amendment covering as many parcels as possible.

The department understands that if a lease term extension is granted, certain property or possessory interest taxes may be increased due to reassessment of the leasehold. The role of the department is to act as a traditional landlord and it will only take into account fair economic rent and the direct rental revenue paid to the County. The County will not adjust rent or in any way agitate or modify future rent adjustments due to higher property or possessory interest taxes that may result from a lease extension.

Certain regulatory procedures (i.e., LCP requirements) must be resolved prior to entering into a binding agreement for lease extension containing higher leasehold land use density or leasehold land use modifications.

BASIS FOR POLICY STATEMENT

1. Purpose

The purpose of this Policy Statement is to provide a standard basis for discussing lease term extensions and to ensure that the County will receive fair economic value for such extension and for its leased property within Marina del Rey.

It is anticipated that lease term discussions on Marina del Rey leaseholds will be requested by various lessees as the remaining term in the original lease declines. These requests may arise because of the lessees' desire to refinance, sell, assign, or redevelop the leasehold. In some cases there may be an insufficient remaining term of the lease to maximize these desires.

Redevelopment is considered by the County to be the primary justification for a lease term extension.

2. Basic Assumptions

2.1 Policy Assumptions

- Redevelopment of the leaseholds should be coupled with any lease extension commitments.
- Environmental assessment may be required.
- The County is not obligated to agree to lease extensions for any or all lessees.
- No redevelopment increasing leasehold land use density or leasehold land use modifications will occur without mitigating traffic options such as a bypass.
- Lease extension discussions will be expensive and time consuming to the County.
- A preponderance of leaseholds will not be able to significantly intensify use or density under the land use provisions of the current LCP.
- The Assessor will reassess the property with an extension.

3. Prerequisite for Lease Extension

- 2.2 The lease term extension must be tied to a commitment acceptable to the Director and Board of Supervisors to redevelop the property. A major purpose of this policy is to ensure that the improvements will be modernized and of sufficient quality to remain attractive, competitive, and physically and economically viable during the extended term of the lease.
- County must conclude that redevelopment is feasible under existing regulatory control on a case-by-case basis or that land use modification can be accomplished through an amendment of the LCP. In either case, the County will require fair consideration for a lease extension.
 - Redevelopment must enhance the County's income stream, and public facilities.
- 2.3 No long term extension containing the higher leasehold land use density or leasehold land use modifications will be offered until the Marina del Rey bypass or other traffic mitigation measures are approved by the appropriate regulatory agencies.

4. Amendment to the Local Coastal Plan (LCP)

- 4.1 The County will consider sponsoring an amendment to the LCP.

If the County is successful in its attempts to amend the LCP, part of the lease extension fee paid by the lessee may be credited against future rent when redevelopment occurs.

5. Conditional Parcels

These policies may be withheld or modified with respect to those parcels for which other policies or lease extension amendments have been executed, those properties which have recently been redeveloped and meet appropriate building codes and quality standards which ensure viability of the facilities or meet objectives of regulatory agencies.

CRITERIA CONTEMPLATED FOR INCLUSION IN REQUESTING LEASE
EXTENSION

MARINA DEL REY

1. All requests for lease term extension are to be submitted in writing to the Director of the department and shall include documents describing the lessee's existing financial statement and condition, value of the property, purpose for lease term extension, construction scheduling for redevelopment, and total construction costs and economic projections.

2. Application Fee

Upon application for the lease extension, in addition to any other compensation payable such as retroactive rent, increases in base rent, etc., the lessee shall pay to the County a single application fee for its administrative costs, associated with review of the project for economic feasibility, environmental assessment and legal assistance as well as County staff time.

3. Economic Terms

3.1 Minimum Rent

Minimum rent shall be adjusted periodically based on prior total annual rent paid to the County.

3.2 Fair Market Rental Rates

A revision of all percentage and minimum rent to reflect fair market value as of date the extension is granted. Where applicable, the payment of retroactive rent will be made by the lessee based on the new fair market rental rate percentages. The newly adopted arbitration clause clarifying dispute resolution mechanisms will be added to those leases not already including it.

3.3 Lease Extension Fee

The County will receive an extension fee commensurate with the value of granting the extension.

3.4 Participation in Sale or Transfer of the Leasehold

The County will participate in the proceeds from the sale or transfer of leasehold interest so as to: 1) assure adequate compensation for administrative costs incurred by the department; and 2) share in profits from these leasehold sales or transfers.

3.5 Participation in Refinancing

The County will receive an appropriate share of proceeds from refinancing, which are not used for leasehold improvements in the Marina.

3.6 Administrative Costs

In addition to the above economic terms, the lessee shall agree to pay for various offsetting or special administrative costs including, but not limited to:

3.61 Environmental studies.

3.62 Late rental payment penalties, including audit deficiencies.

3.63 Increased security deposits.

3.64 Increased minimum rental payments.

3.65 Increased County insurance requirements, including business interruption insurance.

3.66 Costs for County lease assignment reviews.

4. Time Frame for Lease Extension

Will be tied to resolving transportation requirements established in the LCP.

APPENDIX B

Adopted 3/21/95

PROCESS FOR MANAGING LEASE EXTENSION PROPOSALS

The Board of Supervisors of the County of Los Angeles (Board) has approved an amendment to the Marina del Rey Local Coastal Plan (Amended Plan) allowing for an increase in development density in Marina del Rey. The Amended Plan divides the Marina into 14 Development Zones (DZs), each containing several leaseholds, with development potential being allotted by DZs, rather than by individual parcels. The Amended Plan must be reviewed and approved by the California Coastal Commission (CCC) to become effective.

In order to encourage timely redevelopment during this process, the Department of Beaches and Harbors (Department) is willing to enter into negotiations for extending the terms of current ground leases with interested lessees and/or other interested parties, but will not submit a "Memorandum of Understanding for Lease Extension" (MOU) to the Board until after the CCC's adoption of the Amended Plan. Two or more lessees may compete for development potential within a given DZ.

All lease extension negotiations will require the payment of an application fee to fully cover the Department's costs to analyze the applicant's proposal. Once general agreement is reached, an MOU will be prepared for submission to the Small Craft Harbor Commission (SCHC) for review and to the Board for approval. The MOU will outline the basic terms to be further negotiated as a part of a lease extension amendment (Lease Extension Amendment).

Upon Board approval of this MOU, the lessee will pursue a Coastal Development Permit (CDP) and other entitlements through the Department of Regional Planning (DRP). Once these entitlements are issued, the Department will enter into good faith negotiations with the lessee for a Lease Extension Amendment that will be based upon the terms set forth in the MOU.

In order to provide an opportunity for all interested parties, the Department will require each applicant to abide by the following process:

PROCESS

Informal Meeting

Prior to submitting a formal proposal, the lessee should request meetings with the Department and the DRP's "One-Stop" processing center. The Department will outline the County's financial/planning goals for Marina del Rey, and the DRP will clarify whether or not the proposed project is within the parameters of the Amended Plan and will help the lessee understand the various steps and procedures required by the permit process. No fees will be assessed by either department for these initial meetings.

Proposal Submission

If the lessee chooses to proceed with the Project, ten copies of a proposal shall be submitted to the Department. The proposal shall be responsive to the Board-approved Marina del Rey Lease Term Extension Policy (Attachment 2). In addition, the applicant shall submit:

- A. A description of the proposed project.
- B. A description of the entitlements required to complete the project. If the required entitlements are in excess of the development potential for the DZ, the applicant shall detail its plan for securing increased entitlements. It should be noted that if an applicant's proposal requires further substantial amendments to the Amended Plan, an MOU will not be forwarded to the Board prior to approval of these additional amendments to the CCC.
- C. The basis for leasehold valuation.
- D. Evidence of financial and physical feasibility of the proposed project.
- E. The Department's initial fee of \$10,000 as a deposit against its costs of reviewing, negotiating and preparing the MOU and Lease Extension Amendment documents. This fee is payable upon submission of a proposal. Additional funds may be required to ensure that all of the Department's costs are recovered. Any unexpended funds will be refunded to the applicant.

MOU Negotiation

Once the proposal is received, the Department will review the proposal and coordinate the appropriate meeting(s) between the lessee and County staff and/or its consultants to clarify the terms of the proposal – primarily its financial, planning, and legal aspects. Upon clarification, the Department will negotiate in good faith to reach agreement on an MOU that the Department can recommend to the SCHC and the Board.

Notice to Other Lessees

Upon receipt of any proposal requesting development potential permitted under the Amended Plan, the Department will notify all other lessees in the affected DZs that such a proposal for use of that potential has been received. If any other lessee has an interest in submitting a competing proposal, the Department should be notified in writing within 30 days so that the Department can schedule initial meetings with the interested party.

It is the intent of the Department to select the best proposal for use of the development potential within each DZ. Therefore, the Department may negotiate simultaneously with two or more lessees seeking the same entitlement within the same DZ, but only one MOU will result from such negotiations.

Rejected Proposals

If the Department rejects a proposal, it will forward its comments to the Board by memorandum, with copies going to the SCHC and the applicant. The applicant's proposal and a summary of analyses performed by staff or outside consultants will be attached to the memorandum.

Process After MOU Execution By the Board

After the Board and applicant have executed an MOU, the applicant should secure a CDP and all required entitlements. Once all permits and entitlements are secured, the Department will enter into good faith negotiations on a Lease Extension Amendment based on the MOU. The proposed Lease Extension Amendment will be forwarded to the SCHC for its review and to the Board for its consideration. If the Department and lessee cannot agree upon the terms of the Lease Extension Amendment, or if the Board rejects such Lease Extension Amendment, the Department may reopen negotiations with other interested parties.

Parcels Not Currently Under Long Term Leases

After the Amended Plan is approved by the CCC, the Department will seek lessees for development of certain Marina del Rey parcels not currently under long-term leases. If the same development potential within a DZ is sought by a prospective as well as a current lessee, the Department will recommend an MOU to the SCHC and the Board with the party, which it determines offers the best overall proposal to the County.

APPENDIX C

Coordination with Lease Extension Proposals

DEFINITION OF A "COMBINED PROJECT"

Certain proposals may include plans for combining RFP parcels and existing leaseholds into a single development project. Such a project is termed a "Combined Project." A Combined Project is a project that aggregates one or more RFP parcels together with one or more other parcels with existing leases into a single, unified development project. In order to clearly distinguish proposals that contain a Combined Project, all respondents submitting a Combined Project must label any response document with the subtitle "COMBINED PROJECT."

ADDITIONAL REQUIREMENTS FOR PROPOSALS THAT INCLUDE LEASE EXTENSIONS

If applicable, please provide the following information for proposals that include development on parcels for which a lease extension is requested.

- Proposed extension fee, which should be calculated in accordance with current County policy. For further explanation, please refer to Item 4 of the document titled POLICY STATEMENT: Leasehold Term Extension - Marina del Rey, incorporated as Appendix A.
- Detailed plan for any existing structures that are to remain or are to be rehabilitated, including assurances that the leasehold will maintain a strong competitive position in the market for these existing or rehabilitated facilities for the duration of any extended lease.
- Lease extensions and associated new leases must have a common expiration date.
- Rent structure on retained or reconstructed improvements, if any.
- Evidence of site control: if proposing entity is in any way different from current lessee, even if lessee is a partial owner, please provide a copy of any contractual arrangement as well as the amount and character of consideration to current lessee.
- County Recovery of Lease Extension Costs

The County will recover its processing costs and costs of any required appraisal in accordance with the provisions of AMS and its adopted lease extension policies. For further explanation, please refer to the document titled Process for Managing Lease Extension Proposals, dated 3/21/95 and incorporated as Appendix B.

SINGLE, UNIFIED PROPOSALS MUST INCLUDE BOTH RFP AND RELATED LEASE EXTENSION DATA

Respondents submitting a Combined Project are not required to submit separate RFP and lease extension proposals and should file a single, unified proposal.

While respondents should submit a single, unified proposal for their Combined Project and thereby eliminate duplicating information that overlaps in the RFP and lease extension proposal, respondents must assure that all necessary project and financial data are included.

The following checklist identifies key sections in the RFP document and related lease extension information that will assist the respondent in assembling the required information.

- Appendix A, Policy Statement: Leasehold Term Extension – Marina del Rey
- Appendix B, Process for Managing Lease Extension Proposals
- Appendix C, Coordination with Lease Extension Proposals
- Related lease extension information, namely:
 - a) Identification of leased properties
 - b) Proposed ownership and operation
 - c) Lease extension terms proposed
 - d) Summary of key elements in associated response to RFP

RESPONSIBILITY FOR LEASE EXTENSION DOCUMENTATION

While an effort has been made in this document to identify the major technical elements needed in the response to this RFP, all lease extension respondents should read all applicable documents in their entirety and are responsible for meeting all requirements set forth in the County Lease Extension Policy, which is included as an attachment to this RFP.

TIMING OF LEASE EXTENSION EXPIRATION

Lease extensions and associated new leases must have a common expiration date.

TREATMENT OF RETAINED LEASEHOLD IMPROVEMENTS

As a general rule, the County expects full redevelopment of all leaseholds for which lease extensions are granted or development proposals are awarded. Neither existing land nor water improvements are to be retained. All existing improvements, whether situated on parcels subject to this RFP or on adjacent or nearby parcels as a part of a Combined Project response to this RFP, should be completely replaced with new or fully reconstructed improvements.

However, if any existing structures are to remain, the respondent must provide the same detailed information for each class of retained improvements. Any proposal to retain leasehold improvements must explain how the respondent plans to assure the County that these structures will remain competitive for the full duration of the lease term.

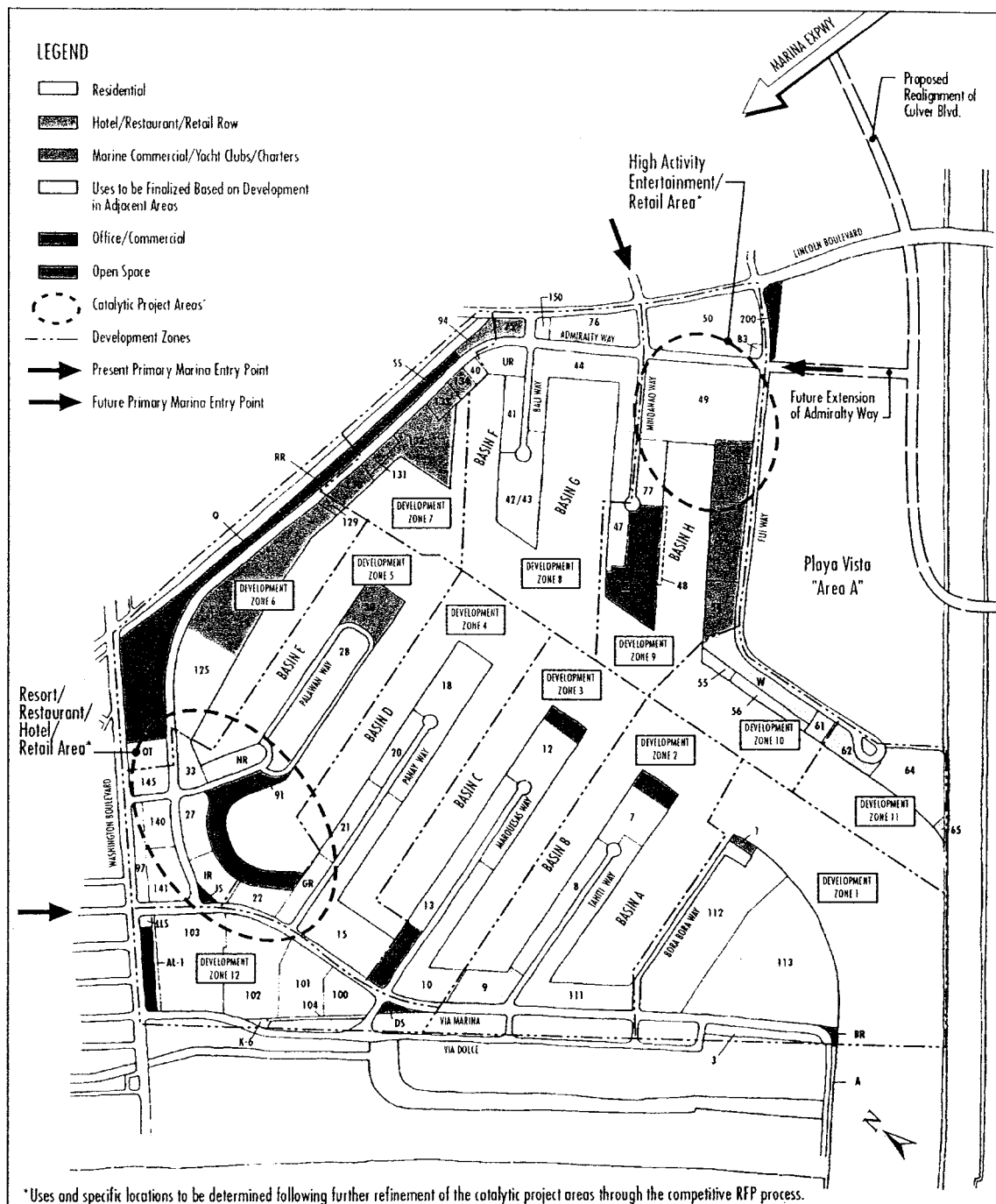
SUBMITTAL OF ALTERNATE PROPOSALS

Respondents may desire that alternative RFP proposals on a given parcel(s) receive consideration in the event their Combined Project is rejected. The County will consider such provided the respondent's alternate proposal is submitted in a separate document and is labeled with the subtitle "ALTERNATE PROPOSAL." Alternate Proposals:

- Must be completely self contained;
- May not include references to any outside documents; and
- Must be turned in on the same submission schedule as all other proposals.

APPENDIX D**Asset Management Strategy (AMS) Map**

Marina del Rey Asset Management Strategy Land Use Designations and Development Zones



Note: Per the Local Coastal Program, all new projects located on waterfront parcels shall provide public pedestrian promenades adjacent to bulkheads. Development Zone 13 contains only the parkway along Fiji Way. Development Zone 14 contains parcels 51 and 200. Development Zones 13 and 14 are not diagramed above.

02/13/01

APPENDIX E

Entitlement Matters

Overview of Marina del Rey Entitlements

A significant element in the application and development process may be treatment of entitlement issues, if modification of existing entitlements through an LCP amendment is required. A brief overview of LCP/Regional Planning/Coastal Commission Requirements is thus set forth below.

Respondents should be aware that respondents might be subject to a wide range of conditions not contemplated in this RFP in connection with obtaining entitlements for a proposed project. As circumstances dictate, DBH will participate in LCP, Regional Planning and other necessary regulatory proceedings; however, while the County is a necessary co-applicant, sponsoring and obtaining LCP amendments and/or other regulatory approvals is the sole responsibility of the successful proposer.

The March 1996 LCP Amendment for Marina del Rey marked several changes in the land use regulation of the Marina. Broadly speaking, these changes addressed four critical issues. They are as follows:

- (1) Height limitation zones were established to limit development on individual parcels;
- (2) View corridor requirements were established so that views of the water would be preserved;
- (3) Entitlements for additional development were, with only a few exceptions, allocated among a series of 12 Development Zones (DZs) rather than assigned to individual parcels; and,
- (4) Aggregate development in the Marina as well as development within each DZ was regulated by the allocation of p.m. peak hour traffic trips with a total of 2,750 such traffic trips being allocated to all additional development within the Marina. The allocation of trips and traffic planning was the primary factor in using DZs as a device for allocating additional entitlements.

Prospective Entitlement Processing

Proposals that are fully consistent with the existing designations and regulations contained in the LCP will require review by the Design Control Board for design features, as well as issuance of a Coastal Development Permit and all other normal ministerial and other reviews and approvals associated with obtaining a building permit and other code compliance. However, depending on the specific nature of the proposal, other discretionary land use entitlements, such as a Conditional Use Permit, may be required. Any project that requires a change in the LCP will require an LCP amendment. Prior discussions with representatives of the Los Angeles County Regional Planning Department familiar with the LCP indicate that projects requiring the interchange or movement of entitlements from adjacent DZs may not present the same challenge in achieving approvals as may be required for more extensive changes. Land use changes to marine commercial uses, which are likely the emphasis of any changes involved in the project, are likely to be viewed favorably in light of Coastal Commission policies so long as high priority uses (e.g. boating, public parking, etc.) are protected or relocated. The process by which such

amendments would be processed is outlined below and involves approval by both the California Coastal Commission and the County of Los Angeles.

Outline of General Entitlement Process

- Review by DBH Design Control Board
- Prepare Application(s) for Entitlements including Coastal Development Permit, if necessary
- Submit to Los Angeles County Regional Planning Department
- Environmental and Permit Review Process
- Public Hearings at Los Angeles County Regional Planning Commission
- Planning Commission Decision
- Additional Public Hearing/Board of Supervisors Decision (if required)
- Additional Public Hearing/Coastal Commission Decision (if required)
- Additional Review by DBH Design Control Board

County Role in Seeking Modifications to Zoning or LCP

Selected applicants with proposal concepts that require amendments to current zoning and/or the LCP will have the responsibility for obtaining such amendments. The County, in issuing this RFP, makes no representations that such modifications will in fact be obtained or that, in obtaining them, the developer may not be subject to a wide range of conditions and requirements not described in the LCP.

DBH will make available its best understanding of the origins of the policies embodied in the current LCP and zoning and prior interpretations of these policies in connection with earlier entitlement processing, and will, to the extent that DBH does not see any conflict with its long term asset management growth objectives, consent to and support the required applications in the entitlement process. In addition, DBH will identify key staff members with whom to consult at both the California Coastal Commission and the Los Angeles County Department of Regional Planning.

Any assistance provided by the County in its proprietary capacity shall be without prejudice to exercising its powers and rights in its governmental capacity.

LCP/Regional Planning/Coastal Commission Requirements

The RFP references the requirements regarding entitlements imposed by the LCP, including the required reviews by the County's Design Control Board, Regional Planning Department, reviews associated with code compliance and building permit issuance and the involvement and review by the California Coastal Commission in appropriate circumstances.

The RFP makes it clear that applicants are responsible for obtaining all necessary entitlements and permits from appropriate County and/or state agencies and that any proposal that requires an LCP amendment should be discussed with a representative of the Regional Planning Department familiar with the LCP.

The provisions of the LCP regarding allocation of entitlements, view corridor requirements, building height limitations and limitations on both aggregate development in the Marina and development within each DZ are also discussed and an outline of the general entitlement process is presented.

In addition, applicants should be aware that the LCP, planning agencies and other state, regional and/or local authorities might impose a variety of other conditions and/or fees related to proposed development projects. In appropriate cases, these matters may include, but are not limited to the following:

- Traffic impact fees
- School impact fees to Los Angeles County Unified School District
- Fish & Game Department fees
- Mitigation monitoring fees
- Sewer impact fees
- Park impact fees
- Hostel impact fees (hotel/motel development)

The LCP also imposes an "Improvement Phasing Schedule for Internal Category 1 Improvements" which provides that certain specified road improvements must occur in phases coinciding with new development so that no new development is occupied before construction of improvements which would mitigate the same amount of impact such development has on traffic within Marina del Rey.

In addition, the LCP imposes an "Improvement Planning Schedule for certain Sub-regional Traffic (Category 3) Improvements". In general, these provisions require that if the traffic trips generated by new or intensified Marina development, along with other previously approved development, exceed 50% of the total anticipated additional external trips to be generated by new or intensified Marina development, additional development that generates external trips shall not occur until certain traffic improvements which mitigate those trips has been approved and funded by the appropriate agencies.

To date, only minimal new development has been fully approved. However, a number of new development proposals are either in negotiation and/or have entered the entitlement process. If a substantial number of the projects currently in negotiation are eventually granted entitlements at their maximum requested levels, the 50% limit may be attained and any new projects that may generate additional external trips will not be permitted to move forward until the above reference traffic improvements have been approved and funded.

The requirements discussed in the preceding two paragraphs relating to required Category 1 and Category 3 traffic improvements are independent of other LCP requirements and all new developments, regardless of their status relating to the 50% threshold or other traffic improvement or phasing requirements, are still subject to all provisions regarding payment of traffic impact fees and other appropriate conditions and/or fees relating to proposed projects.

Potential proposers are advised to consult with Regional Planning Department representatives familiar with the LCP in order to assess the terms and conditions which may be imposed upon construction and occupancy of proposed development and for advice regarding any permits, fees or other requirements which may impact their projects.

Development Zones Affected by the Proposed Project

Depending on the proposed development program, the amount of entitlements necessary to complete a proposed project may vary. As shown in Figures E-1 and E-2 below, one or more development zones may be impacted by the proposed project.

Figure E-1

<i>Alternative Scenario</i>	<i>Development Zones Potentially Affected</i>
83S	Mindanao DZ-9
Nearby parcels	Possibly: Bali DZ-8 Fisherman's Village DZ-10 North Shore DZ-13 Fiji Way DZ-14

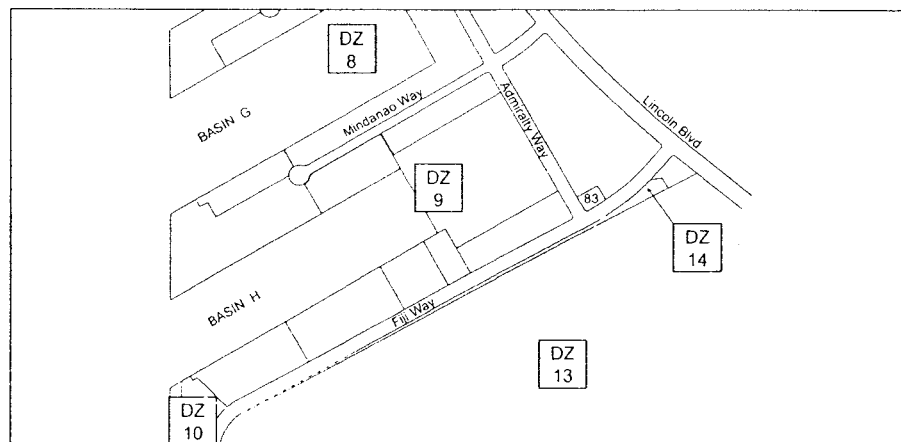


Figure E-2.

Development Zones Potentially Affected

Promenade Requirements on Project Site

The LCP requires that a 28-foot wide pedestrian promenade be provided and maintained along all bulkheads in Development Zone 9, which contains Parcel 83S. However, this requirement does not apply to Parcel 83S, as Parcel 83S does not contain any water area or bulkheads.

Height Limits and View Corridor on the Project Site

As shown in Figure E-3, and in the LCP, site-specific development guidelines limit the height of the Parcel 83S Improvements project to 45 feet.

Figure E-3. Height Limits on Parcel 83S

<i>Parcel</i>	<i>Height Limit – Base Case (20 percent view corridor)</i>	<i>View Corridor Bonus Available?</i>	<i>Height Limit – Maximum Case (40 percent view corridor)</i>
Parcel 83S	45 feet	No	45 feet

Land Use Designation, Total Area and Entitlement Matters Relating to Project Site

As shown in Figure E-4 below, the total project area consists of approximately 0.321 acres of land area, with no water area, for a total area of approximately 0.321 acres. The current zoning for Parcel 83S is designated as "Visitor-Serving/Convenience Commercial."

Figure E-4. Existing Land Use Designation (Zoning) of Parcel 83S

<i>Parcel</i>	<i>Land Use Designation</i>	<i>Land Area</i>	<i>Water Area</i>	<i>Total Area</i>
83S	Visitor-Serving/ Convenience Commercial	13,982 sf (0.321 acres)	0 sf (0.0 acres)	13,982 sf (0.321 acres)

Existing Facilities /Potential Site Restrictions

There is presently one bench and seven permit-only, non-public parking spaces (6 regular parking spaces and 1 disabled parking space) on the Project Site. The provision of parking on this parcel has been restricted and is not otherwise available to the public, and therefore is not subject to LCP requirements for on-site replacement. Although the parcel contains curb cuts at its Admiralty Way and Fiji Way perimeters, current access to the site is obtained principally via two driveways situated on the adjacent Parcel 50. Due to the limited distance between the existing parcel curb cuts and the intersection of Admiralty and Fiji Ways, proposers are advised to seek guidance from the County's Departments of Public Works (Traffic Division) and Regional Planning to determine whether intended uses will be able to obtain appropriate vehicular access.

Potential Public Amenities on the Project Site

The County envisions improvements to the Project Site that will add visitor-serving uses to Marina del Rey. To this end, it is expected that related hardscape and landscape treatments would be provided in addition to the planned improvements and related parking. In addition, any facilities necessary to conform to the Americans with Disabilities Act ("ADA") will be required, thereby encouraging the use of the facility by the most diverse population possible.

The County further envisions that a landscaped park-like perimeter on the Fiji Way and Admiralty Way sides of Parcel 83S may be feasible in connection with the improvements proposed. To the extent that further improvements are possible, respondents may wish to consider public amenities that would serve the needs of visitors to Marina del Rey. Such features have the potential to increase the attractiveness of the project to both public users and regulatory agencies charged with project review.

Availability of Draft Design Guidelines

Respondents are also advised that the Department has published a set of design guidelines in draft form that may further inform the design process. However, these draft guidelines have not been approved by the County and are subject to change. The draft guidelines may be viewed online at: <http://beaches.co.la.ca.us/bandh/marina/development.htm>

APPENDIX F

Aerial Photograph of Marina del Rey



APPENDIX G

Contents of Proposal

SECTION 1 - DEVELOPMENT CONCEPT

a) Overall Approach

Please submit a brief (one page maximum) narrative description of your vision and approach to the development of the proposed project. The description should include summary statements of the key design features, operational strategies, target markets and financial assumptions needed to successfully construct and operate the project.

b) Design Description

Please submit a summary building program and description of the improvements to the Project Site. Development teams should submit a narrative description of the buildings and other uses on the site, the locations of the building(s) and other uses, the estimated square footage devoted to each building and the approximate building footprints.

c) Preliminary Site Plan

Please submit a preliminary site plan that visually illustrates the Design Description as described above. While a detailed and precise completed site plan is not required at this time, a preliminary site plan is necessary to properly evaluate each proposal.

d) Design Graphic

Please submit at least one graphic image, in color, of the exterior of the proposed facility. The graphic may be in the form of a draft perspective, elevation, or other form of pictorial rendering that will demonstrate the visual character of the design and the resulting building mass. While a detailed and precise completed elevation is not required at this time, a preliminary design graphic is necessary to properly evaluate each proposal.

SECTION 2 - PROJECT TIMETABLE AND CRITICAL ENTITLEMENT ISSUES

The proposal should include a general, but complete development timetable showing the various planning and entitlement steps, construction duration, estimated starting period and any future phases contemplated. A general outline of the entitlement process is provided in the Appendix. As to acquiring the entitlements necessary for execution of the proposed development plan, please provide a narrative description of the issues the proposer has identified as critical. Also, please be sure that the timetable of approximate dates for obtaining these entitlements is realistic – in requesting both the narrative and timetable, the goal of the County is to assess the proposer's understanding of the entitlement process rather than solicit an impossibly tight schedule for this process.

SECTION 3 - COST ESTIMATE

For each component of the proposed development, please include an estimate of development costs and a consolidated cost estimate.

SECTION 4 - FINANCIAL PROPOSAL AND PROJECTIONS

Please provide a description of proposed lease terms including a suggested minimum and percentage rents for the entire project and the basis for periodic adjustments of minimum rents and percentage rents. Also provide preliminary development pro formas and estimates of the operating and projected County revenues for the first 10 years of project operation. Please submit this information in the format specified in the Appendix, which is also available online. Developers may use Microsoft Excel or a similar program to model their financial projections. The County appreciates receiving both financial projections and cost estimates on disk (or by email) in addition to the hard copy format submitted with the proposal.

SECTION 5 - DEVELOPMENT TEAM INFORMATION, PAST EXPERIENCE (FOR EACH COMPONENT) AND FINANCIAL INFORMATION

a) Identification of Development Team

As more specifically described below, the name, address, and principal contact for the development team should be provided. Should your proposal include a joint venture, similar information should be submitted for other key members of your development team, including financial partners and other team members. Please include an organizational chart reflecting the roles and responsibilities of the Development Team. Resumes of key team members, any relevant brochures describing your company and its operation, history and projects, as well as and other relevant information for the key members of your team, should also be included in your submission.

Specifically, your submission should include the following information:

Lead Development Team

Provide an overview of your firm including the number of years you have been in business, the firm's development focus, parent company relationship, the number of professionals and location offices in the Los Angeles region for the County's project, and the identity of key members of the lead development firm.

In addition, you should illustrate the organization of the lead development firm for your proposed team and provide resumes of managing partner and project manager for the County's project and a description of the role of the top three members of your firm.

Describe in detail the level of commitment the proposed executive in charge and project manager for the County's project. It is imperative that all respondents identify the executive in charge and project manager for this project and specify the duration of the development and predevelopment phases.

The Proposed Multi-Disciplinary Team

The County does not require the lead developer to formalize its relationship with each team member, but to provide one to three alternatives that your firm is likely to contract with if selected. This includes at a minimum:

- Architect and Construction Company or Design/Build Firm
- Facility Operator

Optional team members may include:

- Civil Engineer
- Traffic Planner
- Landscape Architect
- Financial Consultant
- Marine Consultant
- Property Manager

b) Experience with developments similar to the project proposed

Please indicate the following information for three recent projects with which the lead developer has been involved:

- Project name;
- Location;
- Size and configuration (e.g., number of units, amenities and parking, etc.);
- Approximate cost;
- Date opened;
- Approximate current market value, occupancy rate and average monthly storage rental rate;
- Ownership pattern (e.g., build and hold; build and sell; develop only; etc.);
- Financing structure; and
- References for private and public sector parties involved in the project, including phone numbers.

To the extent that the lead developer expects the County to rely on the credentials of any certain team member other than the prime developer, please provide the information requested above for those team members. The specific project references should preferably be ones on which the team member worked with the lead developer.

The proposer may wish to mark some information, such as financial statements, as "CONFIDENTIAL" or "PROPRIETARY." As such, it will be treated by the County in accordance with the California Public Records Act, as detailed in the Appendix.

SECTION 6 - STATEMENT OF FINANCIAL QUALIFICATIONS AND RESPONSIBILITY OF DEVELOPER

Please indicate the following information:

- Name, address, telephone and fax numbers of the responsible party;
- Is the developer a subsidiary of, or affiliated with, any other corporation, corporations, partnerships or firms? If so, please specify. If the developer is a subsidiary, please indicate the extent to which the parent entity will guarantee performance by the subsidiary;
- Names and addresses of three financial references, including a primary bank;
- Has the developer entity or its officers, principal members, shareholders or investors, or any of its parent, subsidiary or affiliated entities or other interested parties been adjudged bankrupt, either voluntary or involuntarily, within the past ten years? If so, explain; and
- Is there pending litigation against the developer entity or its officers, principal members, shareholders or investors, or any parent, subsidiary or affiliated entities or other interested parties other than minor personal injury suits involving claims under \$250,000? If so, explain.
- Financial statements for the previous three years for the proposed entity with whom the County will contract.

SECTION 7 - DISCLOSURE OF BENEFICIAL OWNERSHIP

The developer must indicate the names of all beneficial owners of 5% or more of the proposed lessee entity; corporate names will not suffice.

SECTION 8 - OTHER REQUIRED FORMS

Proposer must complete a Financial Information Release Authorization form, a Firm/Organization Information form and a CBE Sanctions form as provided in the Appendix.

SECTION 9 - ADDITIONAL REQUIREMENTS FOR PROPOSALS WHICH INCLUDE LEASE EXTENSIONS

Respondents wishing to submit proposals that include existing Marina del Rey leaseholds must provide an additional, separate section that includes information as described in Appendix C, "Coordination with Lease Extension Proposals."

APPENDIX H

Selected County Contract Terms and Conditions

ASSURANCE OF COMPLIANCE WITH CIVIL RIGHTS LAWS

Proposers will assure they will comply with subchapter VI of the Civil Rights Act of 1964, 42 USC Section 2000a through 2000e (17), to the end that no person shall, on the grounds of race, religion, color, sex, age, physical disability, marital status, political affiliation or national origin be excluded from participation in, be denied the benefits of, nor be otherwise subjected to discrimination under any contract granted by the County nor any project, program or activity supported by any such contract.

COMPLIANCE WITH COUNTY LOBBYING REQUIREMENTS

Each County lobbyist or County lobbying firm, as defined in Los Angeles County Code Section 2.160.010 retained by any Proposer hereunder, shall full comply with the County Lobbyist Ordinance, Los Angeles County Code Chapter 2.160.

GRATUITIES

It is improper for any County officer, employee or agent to solicit consideration, in any form, from a Proposer with the implication, suggestion or statement that the Proposer's provision or the consideration may secure more favorable treatment for the Proposer in the award of a contract or that the Proposer's failure to provide such consideration may negatively affect the County's consideration of the Proposer's submission. A Proposer shall not give, either directly or indirectly or through an intermediary, consideration, in any form, to a County officer, employee or agent for the purpose of securing favorable treatment with respect to the award of a contract.

A Proposer shall immediately report any attempt by a County officer, employee or agent to solicit such improper consideration. The report shall be made either to the County manager charged with the supervision of the employee or to the County Auditor-Controller's Employee Fraud Hotline at (213) 974-0914 or (800) 544-6861. Failure to report such a solicitation may result in the Proposer's submission being eliminated from consideration.

Among other items, such improper consideration may take the form of cash, discounts, service, the provision of travel or entertainment, or tangible gifts.

CONSIDERATION OF GAIN PROGRAM PARTICIPANTS FOR EMPLOYMENT

Should Contractor require additional or replacement personnel after the effective date of this Agreement, Contractor shall give consideration for any such employment openings to participants in the County's Department of Public Social Services' Greater Avenues for Independence (GAIN) Program who meet Contractor's minimum qualifications for the open position. The County will refer GAIN participants by job category to the Contractor.

CONSIDERATION OF GAIN PROGRAM PARTICIPANTS FOR EMPLOYMENT

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CONSIDERATION OF HIRING COUNTY EMPLOYEES TARGETED FOR LAYOFFS

Should Contractor require additional or replacement personnel after the effective date of the Contract to perform the services set forth herein, Contractor shall give first consideration for such employment openings to qualified permanent County employees who are targeted for layoff after the effective date of this Contract.

LOBBYISTS

Each County Lobbyist or County lobbying firm as defined in Los Angeles County Code Section 2.160.010, shall fully comply with County Lobbyist Ordinance, Los Angeles County Code 2.160. Failure on the part of any County Lobbyist or County lobbying firm to fully comply with the County Lobbyist Ordinance shall constitute a material breach of this Agreement upon which County may immediately terminate or suspend this Agreement.